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OFFICE OF PETITIONS

In re Application of :
Mark E. Peters :
Application No. 09/240,265 : DECISION ON PETITION
Filed: January 29, 1999 :
Attorney Docket No. CR9-98-095 :

This is a decision on the petition under 37 CFR 1.137(b), filed October 19, 2006, to revive the above-identified application.

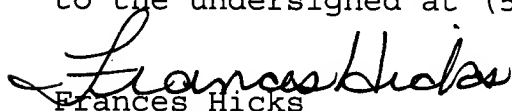
The petition is **GRANTED**.

The application became abandoned for failure to reply in a timely manner to the non-final Office action mailed, March 23, 2006, which set a shortened statutory period for reply of three (3) months. No extensions of time were obtained under the provisions of 37 CFR 1.136(a). Accordingly, the application became abandoned on June 24, 2006. A Notice of Abandonment was mailed on October 11, 2006.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) a reply, (2) the petition fee of \$1,500, and (3) a proper statement of unintentional delay. Accordingly, the failure to timely reply to the non-final Office action of March 23, 2006 is accepted as being unintentionally delayed.

This application is being referred to Technology Center AU 2137 for appropriate action in the normal course of business on the reply received October 19, 2006.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3218.


Frances Hicks

Petitions Examiner
Office of Petitions